

Nos. PD-0262-20 & PD-0263-20

In the
Texas Court of Criminal Appeals
At Austin

FILED
COURT OF CRIMINAL APPEALS
7/16/2020
DEANA WILLIAMSON, CLERK

Nos. 14-18-00235-CR & 14-18-00236-CR

In the Court of Appeals for the
Fourteenth District of Texas
at Houston

ANDREW JAMES TURLEY

Appellant

V.

THE STATE OF TEXAS

Appellee

**STATE'S MOTION FOR EXTENSION OF TIME WITHIN
WHICH TO FILE STATE'S BRIEF
ON DISCRETIONARY REVIEW**

TO THE HONORABLE COURT OF APPEALS:

THE STATE OF TEXAS, pursuant to Texas Rule of Appellate Procedure 10.1, 10.5(b), 38.6(d), and 68.2, moves for an extension of time within which to file its brief on discretionary review. In support of its motion, the State submits the following:

1. Appellant was indicted for compelling prostitution and trafficking of a person.
2. Appellant entered pleas of "not guilty", went to jury trial, and the jury returned guilty verdicts and sentences of 30 years and a

\$10,000 fine. The trial judge ordered the sentences served consecutively.

3. The Fourteenth Court of Appeals reversed and rendered acquittals on both judgments on March 12, 2020, after finding the evidence legally insufficient to support either conviction.
4. The State sought discretionary review by this Court on March 24, 2020.
5. This Court granted the State's petition for discretionary review on June 17, 2020.
6. The State's brief on discretionary review is due July 17, 2020.
7. The State requests a fourteen-day extension until July 31, 2020, to file its brief, the only extension it has requested in this matter.
9. The following facts are relied upon to show good cause for and a reasonable explanation of the need for the requested extension:
 - a. The undersigned attorney was a presenter at the Advanced Criminal Law Course 2020. This year, because of the Covid-19 Pandemic, the organizers decided in late May that the course needed to be pre-recorded and broadcast during the scheduled week of the conference for the safety of all involved. This decision moved forward the deadlines for the presenters' original slide presentations and dates when they were expected to present. It moved the deadlines from mid-July to mid-June.
 - b. The undersigned was scheduled to provide oral argument before this Court on June 17, 2020, and thus had to postpone the release and recording of her Advanced Criminal Law Course presentation until after she had completed argument. She created and turned over her slide presentation to the organizers on June 20, 2020, and she prerecorded her speech on June 24, 2020. Both took significant time to prepare and plan to ensure that her presentation remained within the allotted time. She

devoted several days between June 18 and 24 to preparations for that presentation.

- c. Additionally, the organizers requested that the presenters view their presentations when they aired for purposes of answering questions in the live chat forum. The undersigned also attends the Advanced Criminal Law Course each year to obtain the benefit of the extensive Continuing Legal Education offered during it. The majority of her working hours on July 13, 14, and 15 were devoted to attending the online CLE courses offered during the conference.
- d. During this period, the undersigned drafted and completed a long civil brief for *In the matter of K.M.*, No. 01-20-00121-CV, an accelerated juvenile matter. She filed that brief on June 30, 2020.
- e. The undersigned had to appear in court for a hearing on July 13, 2020, in the 313th District Court of Harris County to address a statutory interpretation issue, which required preparation and review of the statutory changes to Tex. Fam. Code Ann. §51.0412. She took time to prepare for that hearing on July 8 and 9, 2020.
- f. The undersigned was also tasked while working on this brief by her superiors with researching summons, capias, and arrest warrants for a pending matter in the Harris County misdemeanor and felony courts that required an immediate response. This too took time away from completing the *Turley v. State* merits brief due to the urgent request.
- g. The State's motion is not for purposes of delay, but so that justice may be done. The undersigned has made significant progress on the drafting of this merits brief, but she wants to ensure accuracy, clarity, and work toward brevity before filing it, such that the additional fourteen-days is needed to complete the task.

WHEREFORE, the State prays that this Court will grant the requested extension until July 31, 2020.

Respectfully submitted,

/s/ Jessica Caird

JESSICA CAIRD
Assistant District Attorney
Harris County, Texas
500 Jefferson, Ste. 600
Houston, Texas 77002
(713) 907-2713
State Bar No.: 24000608
caird_jessica@dao.hctx.net

CERTIFICATE OF SERVICE

Pursuant to Tex. R. App. P. 9.5, this certifies that a copy of the foregoing instrument is being served by EFileTexas.Gov efiler to the following email addresses on April 18, 2019:

Cheri Duncan
Assistant Public Defender
1201 Franklin, 13th Floor
Houston, Texas 77002
Cheri.Duncan@pdo.hctx.net

Stacey Soule
State Prosecuting Attorney
P. O. Box 13046
Austin, Texas 78711-3046
Stacey.Soule@SPA.texas.gov

/s/ *Jessica Caird*

JESSICA CAIRD

Assistant District Attorney

Harris County, Texas

500 Jefferson, Ste. 600

Houston, Texas 77002

(713) 907-2713

State Bar No.: 24000608

caird_jessica@dao.hctx.net

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Jessica Caird
Bar No. 24000608
caird_jessica@dao.hctx.net
Envelope ID: 44564741
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Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Stacey Soule		Stacey.Soule@SPA.texas.gov	7/16/2020 9:30:44 AM	SENT
Cheri Duncan		Cheri.Duncan@pdo.hctx.net	7/16/2020 9:30:44 AM	SENT